

Message Text

SECRET

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51

ACTION L-02

INFO OCT-01 EA-06 ISO-00 PM-03 NSC-05 SP-02 SS-15 CIAE-00

INR-07 NSAE-00 DODE-00 AID-05 IGA-01 MC-02 ACDA-05

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R 241018Z FEB 75

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC 2634

INFO CINCPAC

S E C R E T VIENTIANE 1314

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: MASS, LA

SUBJECT: MILITARY AID TO LAOS

REF: STATE 028780; VIENTIANE 1209

1. WE ALL RECOGNIZE HOW TENUOUS IS THE BASIS OF OUR MILITARY ASSISTANCE TO LAOS. THE FACTS ARE THESE:

A. WE ARE CONTINUING THIS ASSISTANCE AT THE REQUEST OF PRIME MINISTER SOUVANNA EXPRESSED IN HIS LETTER OF NOVEMBER 8, 1973. AT THE TIME SOUVANNA'S POSITION WAS THAT RLG'S REQUEST OF 1962 FOR MILITARY ASSISTANCE WAS STILL VALID, THE PGNU BEING ONLY THE LATEST OF GOVERNMENT RESHUFFLES (VIENTIANE 6732, SEPTEMBER 29, 1973). WE HAVE NO REASON TO BELIEVE SOUVANNA HAS CHANGED HIS POSITION. HOWEVER, THE EXISTENCE OF THE LETTER IS TO BEST OF OUR KNOWLEDGE NOT WIDELY KNOWN. (SISOUK REITERATED HIS VIEW TO THE AMBASSADOR THAT IT SHOULD NOT BE DIVULGED.)

B. PHRASE IN PROTOCOL 16(B) "WHEN IT IS UNANIMOUSLY AGREED BY BOTH SIDES" WAS INTERPRETED AT TIME TO MEAN THAT IF TWO PARTIES COULD NOT AGREE, EACH SIDE WOULD BE FREE TO RECEIVE ARMS FOR ITS DEFENSE (VIENTIANE 6457,

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SEPTEMBER 19, 1973). THIS PHRASE ELIMINATED FROM ARTICLE

D(2) OF JCCIA DOCUMENT, IT WOULD SEEM BY INADVERTENCE.

C. WE INTERPRET ARTICLE D(1) TO BE A REPHRASED
ARTICLE 16(A) OF PROTOCOL ON REPLACEMENT.

D. VIENTIANE SIDE JCCIA OFFICIALS HAVE MADE CLEAR
THEY CONSIDERED AGREEMENT TO REMAIN CAREFULLY WITHIN
PROTOCOL FRAMEWORK.

E. QUESTION OF WHAT KIND OF AGREEMENT BETWEEN PAR-
TIES IS REQUIRED IS SO FAR ACADEMIC. EACH SIDE HAS
CONTINUED TO RECEIVE ASSISTANCE AS IN PAST. UNDER
MINDEF SISOUK LEADERSHIP, VIENTIANE SIDE HAS TAKEN HARD
POSITION THAT FAR WAS NOT SUBJECT TO JOINT CONTROL AS
LONG AS LPF FORCES WERE NEITHER. LPF HAS EFFECTIVELY
BEEN BARRED FROM INTERVENING IN VIENTIANE SIDE MILITARY
AFFAIRS.

F. IF UNANIMOUS AGREEMENT WERE REQUIRED ON MILITARY
ASSISTANCE -- A MATTER NOT YET RAISED -- WE WOULD
EXPECT EACH SIDE WOULD AGREE TO DISAGREE SINCE NEITHER
TRUSTS THE OTHER SUFFICIENTLY TO CUT ITSELF OFF FROM
ITS FOREIGN SUPPORT.

2. WE THEREFORE BELIEVE THAT FOR THE TIME BEING WE
SHOULD STICK TO THE INTERPRETATION THAT EACH PARTY IS
FREE TO RECEIVE ASSISTANCE UNLESS BOTH AGREE OTHERWISE.
IT MAY BE WE SHALL HAVE TO SURFACE THE PRIME MINISTER'S
LETTER, BUT IF WE DO WE SHOULD EXPECT THAT SOUVANNA WILL
COME UNDER LPF PRESSURES TO BRING THIS MATTER WITHIN
THE PROVISIONS OF THE ACCORDS AND JCCIA AGREEMENT. MORE
IMPORTANTLY, IF OUR CASE IS BASED WHOLLY ON SOUVANNA'S
LETTER, HIS DEMISE THEN ELIMINATES OUR JURIDICIAL POSITION,
BUT IF WE STAND ON OUR INTERPRETATION, WE CAN MAINTAIN
OUR ASSISTANCE TO VIENTIANE SIDE UNTIL THERE IS A GOVERN-
MENT OF TRULY NATIONAL UNION THAT CAN COMMAND THE FORCES
OF BOTH SIDES. THAT WILL BE ONE OF THE LAST AND MOST
DIFFICULT SUBJECTS THE TWO SIDES WILL HAVE TO RECONCILE.
IN ANY CASE, IT ISN'T FOR TOMORROW.
WHITEHOUSE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE
Control Number: n/a
Copy: SINGLE
Draft Date: 24 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975VIENTI01314
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750064-0658
From: VIENTIANE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750217/aaaaaowi.tel
Line Count: 97
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: 75 STATE 028780, 75 VIENTIANE 1209
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUL 2003 by CunninFX>; APPROVED <22 JUL 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MILITARY AID TO LAOS
TAGS: MASS, LA, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006